

Office Action Summary

Application No.

10/823,649

Applicant(s)

KURIHARA ET AL.

Examiner

NGHIA M. DOAN

Art Unit

2825

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11, 21 and 24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11 is/are allowed.
- 6) ☒ Claim(s) 1-10, 21 and 24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S5-08)
- Paper No(s)/Mail Date _____
- 4) ☒ Interview Summary (PTO-413)
- Paper No(s)/Mail Date 20080204
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This is response to Application Amendment filed on 12/17/2007. Claims 1-11, 21, and 24 remain pending in this instance office action.

Claims 1, 11, 21, and 24 have been amended.

Claims 16-20 have been canceled.

The new title is accepted.

Claim Objections

2. Claim 11 is objected to because of the following informalities: line 16, replaces "assigning a power supply pad" with -- assigning the power supply pad --. Appropriate correction is required.

Examiner Remarks

3. Applicant's arguments, filed on 12/17/2007, with respect to Claims 1, 11, 21, and 24 have been fully considered and are persuasive. The claim rejection under 35. U.S.C 103 of claims 1, 11, 21, and 24 has been withdrawn.

However, after the claims 1, 21, and 24 have been amended, which are caused the 35 U.S.C 112 second paragraph issue, because the newly added limitation is defected incorporating with prior limitations recited in these claims. For example, the last two (2) steps of claims 1, 21, and 24 recited:

i) eliminating or adding at least one power supply pad in accordance with the result of the determination; and

ii) (newly added limitation) **eliminating** at least one power supply pad when the current value of each of the power supply pads does not exceed the current capacity of the associated IO buffer.

The step "eliminating or adding" is an alternative limitation, if "adding" process to be treated as step i), then step "eliminating" recited in step ii) can not be incorporated with the step i).

Examiner has attempted to correct the issue, but the Applicants requested the office action to be issued (see the Examiner Interview Summary). Therefore, the claim rejection under 35 U.S.C 112 second paragraph is in-placed.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-10, 21, and 24 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claims 1, 21, and 24, recited step i) "**eliminating or adding** at least one power supply pad in accordance with the result of the determination", which is defectd incorporating or further limit with the step ii) "**eliminating** at least one power supply pad when the current value of each of the power supply pads does not exceed the current capacity of the associated IO buffer", if the "**adding**" process recited in step i) to be treated, that makes a gap or missing steps/limitations between the step i) and step ii).

Allowable Subject Matter

6. Claims 1-10, 21, and 24 would be allowable if claims 1, 21, and 24 are rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.
7. Claim 11 is allowed.
8. The following is an examiner's statement of reasons for allowance: the prior art made of record does not teach or suggest the inventive step comprises: determining whether there is a power supply pad for which current value is less than or equal to a predetermined current capacity; adding a new power supply pad near a power supply pad for which current value exceeds the predetermined current capacity, and assigning a power supply pad as another type of pad when the current value of that power supply pad is less than or equal to the predetermined current capacity; and eliminating at least one power supply pad when the current value of each of the power supply pads does not exceed the current capacity of the associated IO buffer, in combination other limitations claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **NGHIA M. DOAN** whose telephone number is (571)272-5973. The examiner can normally be reached on 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Chiang can be reached on 571-272-7483. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jack Chiang/
Supervisory Patent Examiner, Art Unit 2825

Nghia M. Doan
/N. M. D./

Examiner, Art Unit 2825